



## Board of Adjustment Case Report

City of Raleigh  
Department of City Planning  
1 Exchange Plaza  
Raleigh, NC 27601  
(919) 996-2626  
[www.raleighnc.gov](http://www.raleighnc.gov)

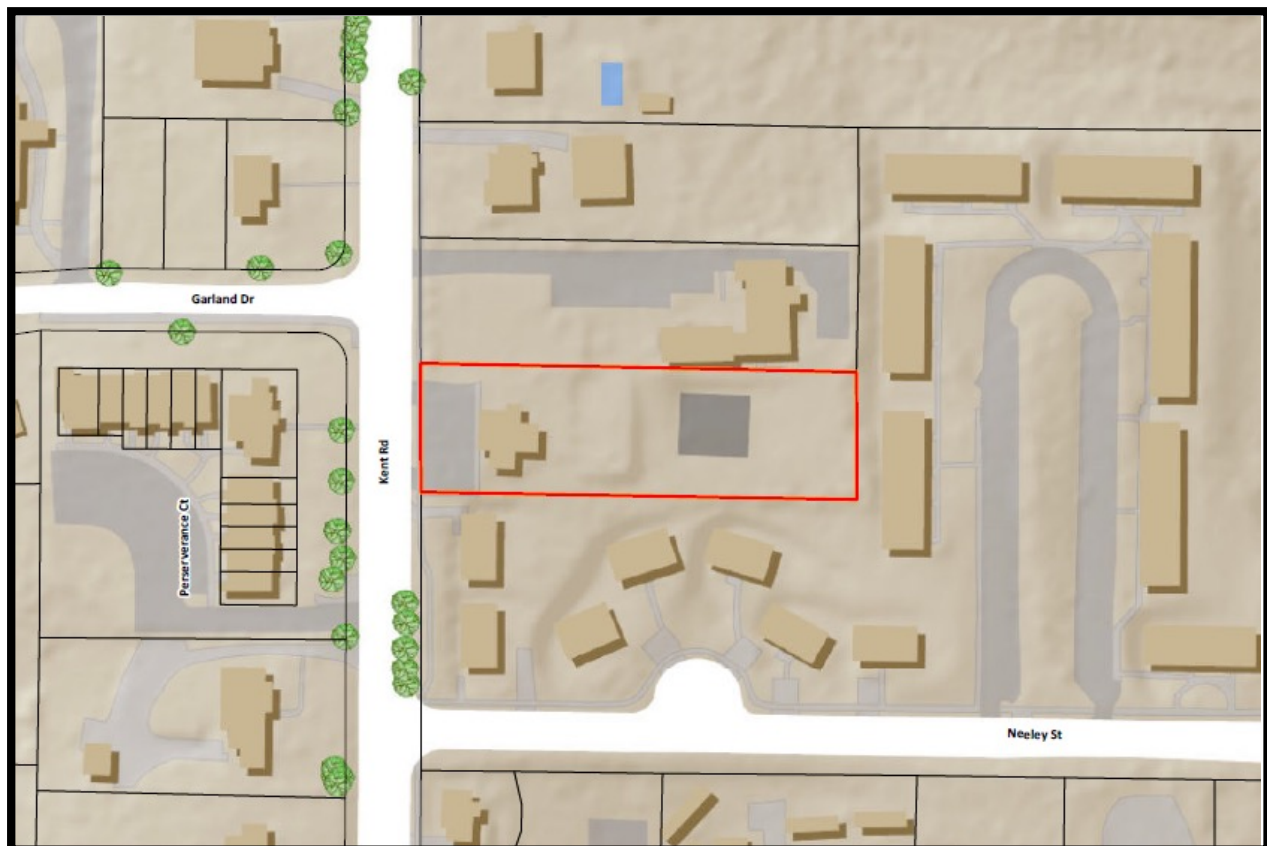
**Case File:** A-57-15

**Property Address:** 1203 Kent Road

**Property Owner:** Country Day Montessori, LLC

**Project Contact:** Georgiana Nderitu

**Nature of Case:** Request for a special use permit for a day care facility for up to 25 enrollees pursuant to Section 6.4.1.C of the Unified Development Ordinance on a .81acre property zoned Residential-10 and Special Residential Parking Overlay District located at 1203 Kent Road.



**1203 Kent Road – Location Map**

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**ADDITIONAL  
NOTES:** None

**PREVIOUS  
VARIANCES:** None

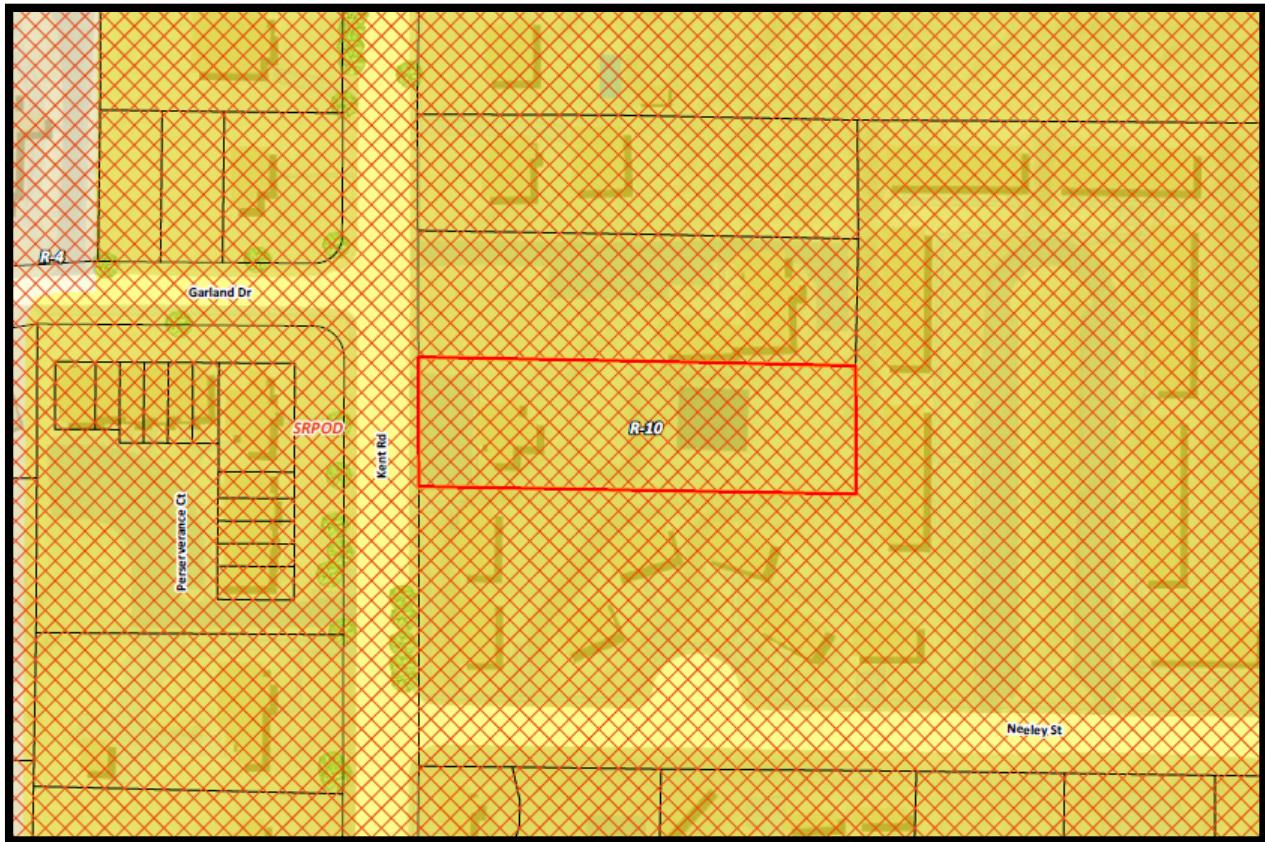
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**To BOA:** 7-13-15

**Staff Coordinator:** Eric S. Hodge, AICP

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**ZONING  
DISTRICT:** Residential-10



### 1203 Kent Road – Zoning Map

**SHOWINGS:** In accordance with UDO §10.2.9 Special Use Permit, before a Special Use Permit request is granted, the Board of Adjustment shall show that all of the following are met:

1. The proposed use complies with all applicable provisions of this UDO unless otherwise

expressly modified in accordance with this UDO;

2. The proposed use is allowed as a special use in the respective zoning district (see Chapter 6. Use Regulations);
3. The proposed use complies with any specific use standard listed in Chapter 6. Use Regulations without the granting of any variance to the specific use standard;
4. The proposed use is compatible with adjacent uses in terms of location, scale, site design, hours of operation and operating characteristics;
5. Any adverse impacts resulting from the proposed use in the affected area will be effectively mitigated or offset or the special use is denied;
6. Access with respect to pedestrian, bicycle and automotive safety, traffic flow and emergency service is adequate;
7. Signage is suitable and appropriate; and
8. Any appropriate dedications of streets and utilities to the public will be made prior to the issuance of a building permit.

#### Sec. 6.4.1.c. C. Day Care Center

##### 1. Defined

A day care for more than 8 persons where staffing complies with state and local regulations. Includes nursery school and preschool.

##### 2. Use Standards

a. In a Residential District, the following minimum lot areas per enrollee apply:

- i. R-1, R-2, and R-4: 1,040 square feet;
- ii. R-6: 640 square feet; and
- iii. R-10: 240 square feet. (Staff note: the site acreage could theoretically accommodate 147 enrollees based on minimum lot area)

b. In a Residential District, 1 unlit announcement sign is allowed, not to exceed 2 square feet in area and 3½ feet in height.

c. In a Residential District, a Type A1 or A2 transitional protective yard (see Sec. 7.2.4.A.) must be established along any side of the property abutting a residential use.

Staff note: The applicant has submitted schematic plans showing their intent to install the requisite landscaping fencing and walls consistent with this requirement. If the Board approves the Special Use Permit, the applicants must submit more detailed plans for permitting and installation prior to beginning operation of the daycare.

d. In a Residential District, a Type C2 street protective yard (see Sec. 7.2.4. B.) must be established along all property lines abutting a public right-of-way.

Staff note: The applicant has submitted schematic plans showing their intent to install the requisite landscaping consistent with this requirement. If the Board approves the Special Use Permit, the applicants will need to submit more detailed plans for permitting demonstrating compliance with the planting requirements prior to beginning operation of the daycare.

e. Must comply with all state and local standards.

#### Sec. 7.2.4. Protective Yards

##### A. Transitional Protective Yards

1. A transitional protective yard is required along perimeter lot lines:

- a. For specific uses as set forth in Chapter 6. Use Regulations ( type as specified); and
- b. Where an IH District abuts any other district other than an IH District a Type B1 or B2 transitional protective yard must be installed.

Type A1: 6.5' wall, 6' wide yard, 4 shade trees spaced over every 100' linear feet.

Type A2: 6.5' fence, 10' wide yard, 4 shade trees and 4 understory tree spaced over every 100' linear feet.

##### B. Street Protective Yard

1. A street protective yard is required along the edge of the street right-of-way:

- a. For specific uses as set forth in Chapter 6. Use Regulations ( type as specified); and
- b. Where an IH District is across the street from any other district other than an IH District, a Type C1 or C2 street protective yard must be installed.

2. A required street protective yard may be replaced with a tree conservation area that meets the requirements of Article 9.1. Tree Conservation

3. The protective yards in Special Highway Overlay Districts 1 and 2 (Sec. 5.3.1. D.) take the place of any street protective yard required in Sec. 7.2.4.B.

Type C2: 15' wide yard, 4 shade trees spaced over every 100' of street right of way & 15 shrubs spaced over every 100' of street right of way.





# Planning & Development

Received 6/12/15  
AW

Development Services  
Customer Service Center  
One Exchange Plaza  
1 Exchange Plaza, Suite 400  
Raleigh, North Carolina 27601  
Phone 919-996-2495  
Fax 919-516-2685

## Special Use Permit Application

11-57-15

OFFICE USE ONLY	
<b>Nature of request (Submit addendum on separate sheet, if more space is needed.)</b> We are seeking a special use permit to allow for a day care use on this property. We will comply with all the zoning requirements per the City of Raleigh UDO.	Transaction Number
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. If this property was the subject of a previous special use permit request, provide the case number.	

GENERAL INFORMATION		
Property Address 1203 Kent Rd. Raleigh NC		Date 6/11/15
Property PIN 0793190717	Current Zoning R-10	
Nearest Intersection Kent Rd. and Western Blvd.		Property size (in acres) .81
Property Owner Country Day Montessori LLC	Phone 703-216-2435	Fax
	Email	
Project Contact Person Georgiana Nderitu	Phone 919-851-4054	Fax
	Email nderitug@gmail.com	
Property Owner Signature <i>Georgiana Nderitu</i>	Email nderitug@gmail.com	
Notary Sworn and subscribed before me this <u>12</u> day of <u>June</u> , 20 <u>15</u>	Notary Signature and Seal <i>Monique Mckoy</i> 	

It is improper to contact any member of the Board of Adjustment prior to the disposition of a case to discuss the request. A Special Use Permit Application will not be considered complete until all required submittal components listed on the Special Use Permit Checklist have been received and approved.





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## Special Use Permit Checklist

A-57-15

TO BE COMPLETED BY APPLICANT	YES	N/A
<b>PRE-SUBMITTAL REQUIREMENTS</b>		
1. Pre-application meeting with staff	✓	
2. Completed Special Use Permit Intake Requirements sheet	✓	
3. Special Use Permit applications shall be submitted to the Zoning Division, 4 <sup>th</sup> floor of One Exchange Plaza	✓	
<b>SPECIAL USE PERMIT REQUIREMENTS</b>		
1. The property owner must be the applicant. If the special use permit is for a renter or lessee, please include this information.	✓	
2. A signed, notarized application and submittal fee are required.	✓	
3. The applicant must submit stamped envelopes addressed to the property owners within 100 feet of the subject property. City staff will mail the public hearing notices.	✓	
4. The Board of Adjustment conducts a quasi-judicial hearing. You may not contact the Board members once the application has been filed.	✓	
5. If the special use permit request is for a portion of a building, please provide the square footage of both the building and area to be devoted to the special use.		✓
6. The Board of Adjustment may attach conditions of approval to a special use permit to protect surrounding properties.		✓
7. City Staff will place a public hearing sign on the subject property. The sign must be prominently displayed on the property for at least ten days before the hearing. The property owner is responsible for maintaining the sign during this ten day period. The owner must return the sign to city staff within three days of the hearing. The owner will be charged \$45 for any sign not returned.	✓	
<b>SPECIAL USE PERMIT CONSIDERATIONS</b>		
The Board of Adjustment will review all special use permit requests against all of the following showings:		
1. The proposed use complies with all applicable provisions of this UDO unless otherwise expressly modified in accordance with this UDO.	✓	
2. The proposed use is allowed as a special use in the respective zoning district (see <i>Chapter 6. Use Regulations</i> ).	✓	
3. The proposed use complies with any specific use standard listed in <i>Chapter 6. Use Regulations</i> without the granting of any variance to the specific use standard.		
4. The proposed use is compatible with adjacent uses in terms of location, scale, site design, hours of operation and operating characteristics.		
5. Any adverse impacts resulting from the proposed use in the affected area will be effectively mitigated or offset or the special use is denied.	✓	
6. Access with respect to pedestrian, bicycle and automotive safety, traffic flow and emergency service is adequate.	✓	
7. Signage is suitable and appropriate.	✓	
8. Any appropriate dedications of streets and utilities to the public will be made prior to the issuance of a building permit.	✓	
<b>USE STANDARDS</b>		
Each special use must comply with the use standards identified in the Code. These use standards vary by use. The applicant must provide a written response to the applicable use standards. (SEE ATTACHMENT 1)	✓	





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## Special Use Permit Application Intake Requirements

TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY STAFF		
	YES	N/A	YES	NO	N/A
<b>General Requirements – Special Use Permit</b>					
1. I have referenced the <b>Variance Checklist</b> and by using this as a guide, it will ensure that the application is processed in a timely manner	<input checked="" type="checkbox"/>				
2. Special Use Permit application review fee (see Development Fee Schedule for rate)	<input type="checkbox"/>				
3. Completed, notarized application signed by the property owner	<input checked="" type="checkbox"/>				
4. One set of stamped envelopes addressed to all property owners within 100 feet of the subject property	<input checked="" type="checkbox"/>				
5. List of all adjacent property owners	<input checked="" type="checkbox"/>				
6. Plot Plan drawn to scale, containing a north arrow, area of lot, location of all existing improvements and use areas, location of proposed improvements, location of any constraints such as flood plain area, tree conservation area, buffer yards, easements, and sight distance triangles	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
7. If the special use permit request involves a new or enlarged structure, architectural elevations must be submitted	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
8. If the property has been cited by a Code Enforcement Officer, include a copy of the citation	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
9. Is special use permit needed to legalize an existing improvement or use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>			



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## Pre-Application Conference

This form must be provided at the time of formal submittal.

Process Type	
<input checked="" type="checkbox"/>	Board of Adjustment (Contact: <u>Eric Hodge</u> ) 919-996-2639 / <u>eric.hodge@raleighnc.gov</u>
<input type="checkbox"/>	Comprehensive Plan Amendment (Contact: <u>Dan Becker</u> )
<input type="checkbox"/>	Rezoning (Contact: <u>DeShele Sumpter</u> )
<input type="checkbox"/>	Site Review* (Contact: <u>Stacy Barbour</u> )
<input type="checkbox"/>	Subdivision (Contact: <u>Christine Darges</u> )
<input type="checkbox"/>	Subdivision (Exempt) (Contact: <u>Peggy Goodson</u> )
<input type="checkbox"/>	Text Change (Contact: <u>Travis Crane</u> )
* Optional conference	

GENERAL INFORMATION	
Date Submitted	
Applicant(s) Name	<u>Georgiana Nderitu</u>
Phone	<u>919-851-4054</u>
Email	<u>nderitug@gmail.com</u>
Property PIN #	<u>0793190717</u>
Site Address / Location	<u>1203 KENT RD. RALEIGH, NC</u>
Current Zoning	<u>R-10</u>
Additional Information (if needed)	<u>—</u>

FOR OFFICE USE ONLY	
Transaction #	
Date of Pre-Application Conference	
Staff Signature	



**ATTACHMENT 1 : REVIEW OF APPLICABLE USE STANDARDS FOR A DAY CARE CENTER**


- a. The facility is in a residential district and ether existing structure's s.f. ( using the standard of allowance of 240 s.f. / enrollee) we can have no more than 147 students.
- b. We plan to utilize the existing day's signage on the adjacent property so we will not need a sign on this property.
- c. We will provide a type A2 transitional yard protection along the eastern and southern property lines which abut residential usages.
- d. We will provide a type C2 street protective yard along Kent Rd.
- e. All renovations and updates will comply with all state and municipal standards.

Surveyor's Certificate      State of N.C.

I hereby certify that the above named under my supervision, from an actual survey made under my direction, and deposited in the office of the Register of Deeds, is a true and correct copy of the original survey map, and that the same is in accordance with the laws of the State of North Carolina (21 NC G.S. 26 (2005)).

IN WITNESS WHEREOF, I have hereunto set my hand and the Seal of the State of North Carolina, this 11th day of June, 2010.

*[Signature]*  
Professional Land Surveyor L-3891



**Puckett Surveyors, PLLC**  
Professional Land Surveyors  
FPM LICENSE NO. (P-1189)  
1555 N.C. 54, Suite 2  
Cromwell, N.C. 27522  
P. 919-323-8600

BP-1005-3




[Home](#)

## Wake County Real Estate Data Account Summary

[iMaps](#)
[Tax Bills](#)
Real Estate ID **0042300** PIN # **0793190717**
[Account Search](#)
Location Address  
**1203 KENT RD**Property Description  
**PT LT 4 HINTON PROP**
[Pin/Parcel History](#) [Search Results](#) [New Search](#)
[Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)


For real estate accounts created or new construction built after January 1, 2015: Property values are under review for tax year 2016. Land and building values on these properties will reflect an assessment based on the January 1, 2008 Schedule of Values until late 2015 or early 2016 at which time the January 1, 2016 revaluation values for both land and buildings will be available.

<b>Property Owner</b> <b>COUNTRY DAY MONTESSORI LLC</b> Use the Deeds tab above to view any additional owners		<b>Owner's Mailing Address</b> <b>1030 KENNICOTT AVE</b> <b>CARY NC 27513-8450</b>	<b>Property Location Address</b> <b>1203 KENT RD</b> <b>RALEIGH NC 27606-1977</b>
<b>Administrative Data</b> Old Map # <b>549-00000-0582</b> Map/Scale <b>0793 05</b> VCS <b>WCRA001</b> City <b>RALEIGH</b> Fire District Township <b>RALEIGH</b> Land Class <b>R-&lt;10-HS</b> ETJ <b>RA</b> Spec Dist(s) Zoning <b>R-10</b> History ID 1 History ID 2 Acreage <b>.81</b> Permit Date <b>3/6/2008</b> Permit # <b>0000073454</b>		<b>Transfer Information</b> Deed Date <b>5/29/2013</b> Book & Page <b>15290 1564</b> Revenue Stamps <b>760.00</b> Pkg Sale Date <b>5/29/2013</b> Pkg Sale Price <b>\$153,500</b> Land Sale Date Land Sale Price <b>Improvement Summary</b> Total Units <b>1</b> Recycle Units <b>1</b> Apt/SC Sqft Heated Area <b>2,145</b>	<b>Assessed Value</b> Land Value <b>\$141,134</b> Assessed Bldg. Value <b>\$122,235</b> Assessed Tax Relief Land Use Value Use Value Deferral Historic Deferral Total Deferred Value Use/Hist/Tax Relief Assessed Total Value <b>\$263,369</b> Assessed*

\*Wake County assessed building and land values reflect the market value as of January 1, 2008, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

The January 1, 2008 values will remain in effect until the next county-wide revaluation, which begins January 1, 2016. Until that time, any real estate accounts created or new construction built is assessed according to the 2008 Schedule of Values.

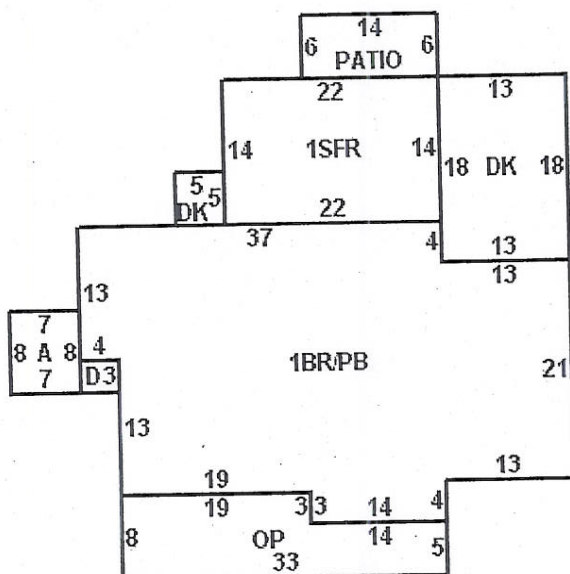
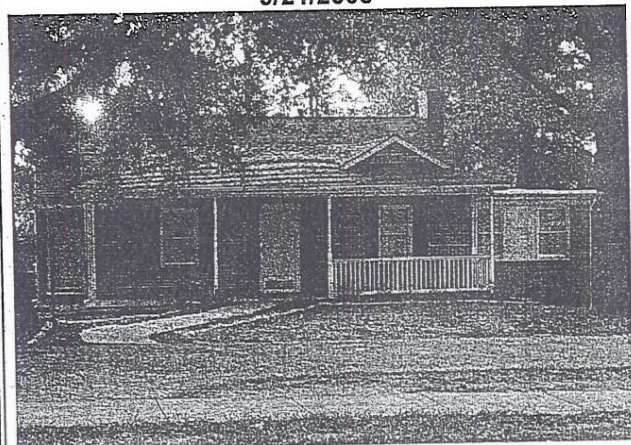
For questions regarding the information displayed on this site, please contact the Revenue Department at [RevHelp@wakegov.com](mailto:RevHelp@wakegov.com) or call 919-856-5400.

Real Estate ID **0042300**PIN # **0793190717**Account  
SearchLocation Address  
**1203 KENT RD**Property Description  
**PT LT 4 HINTON PROP**[Pin/Parcel History](#) [Search Results](#) [New Search](#)[Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

Building Location Address		Building Description		Card 01 Of 01	
<b>1203 KENT RD</b>		<b>WCRA001</b>			
Bldg Type	<b>06 Res w/Business</b>	Year Blt	<b>1950</b>	Eff Year	<b>1963</b>
Units	<b>1</b>	Addns		Remod	<b>1981</b>
Heated Area	<b>2,145</b>	Int. Adjust.	<b>BSMT-Fully Finished</b>		
Story Height	<b>1 Story</b>	Other Features	<b>One Fireplace</b>		
Style	<b>Conventional</b>				
Basement	<b>50% Partial Bas</b>				
Exterior	<b>Brick</b>				
Const Type					
Heating	<b>Central</b>				
Air Cond	<b>No Air</b>				
Plumbing	<b>Conditio Extra Fixtures</b>				
		Base Bldg Value		<b>\$154,557</b>	
		Grade		<b>B 00</b>	
		Cond %		<b>C 63%</b>	
		Market Adj.			
		Market Adj.			
		Accrued %		<b>63%</b>	
		Incomplete Code			
		Card 01 Value		<b>\$122,235</b>	
		All Other Cards			
		Land Value Assessed		<b>\$141,134</b>	
		Total Value Assessed		<b>\$263,369</b>	

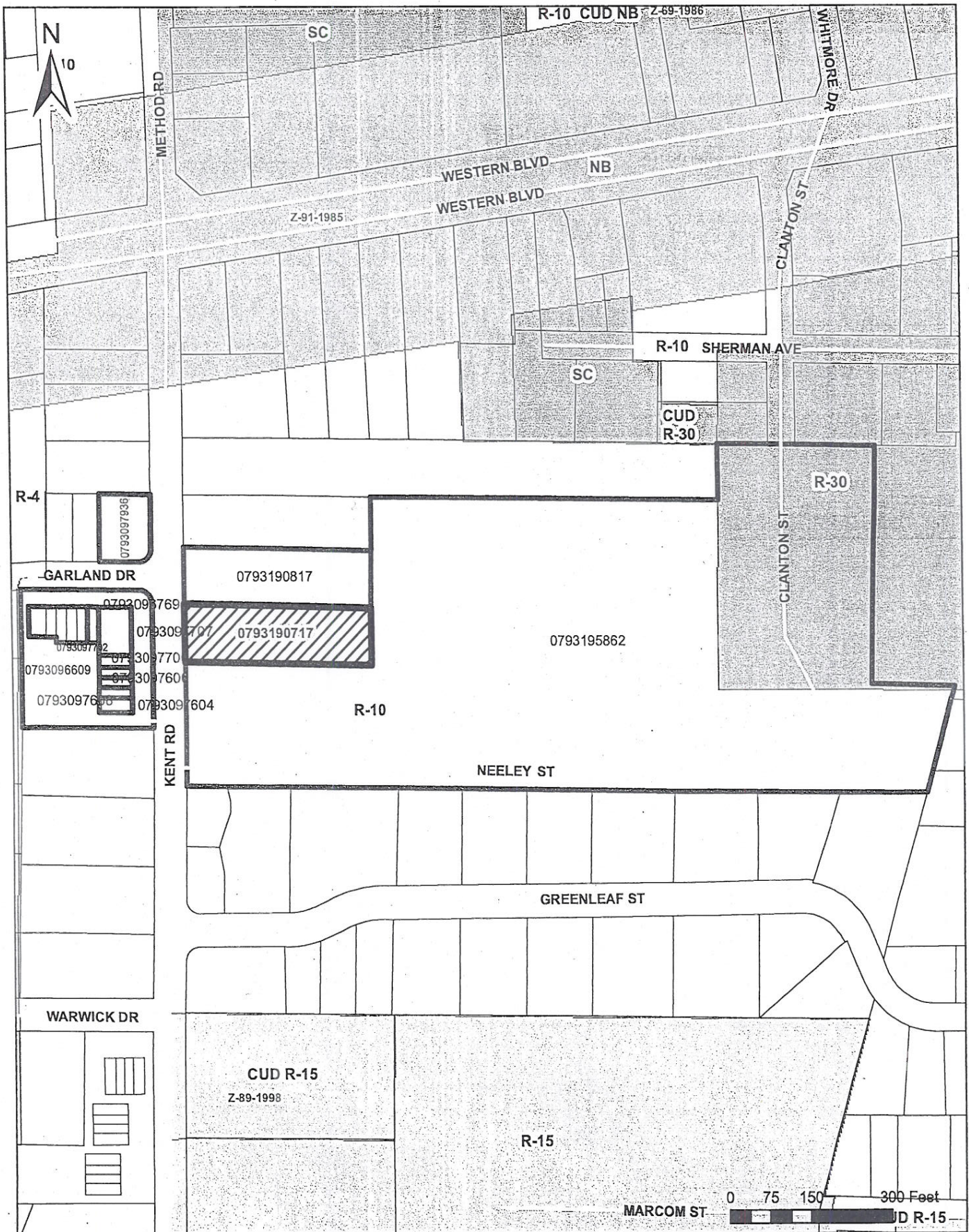
Main and Addition Summary					Other Improvements				
Story	Type	Code	Area	Inc	Units	DesItem	Code Year	% Inc	Value
M	1	BR/PB	1225						
A		PATIO	56		650	UN FENCE6	0178 1970	20	2310
B	1	SFR	308		4150	SF PAVASPH	0028 1970	20	2280
C		DK	234		330	UN FENCE4	0122 1970	20	800
D		OP	12						
E		OP	222						
F		DK	25						
G		PATIO	84						
H									

Building Sketch

Photograph  
9/21/2008

0042300 09/21/2008





1203 Kent Road



0793190717  
COUNTRY DAY MONTESSORI LLC  
1030 KENNICOTT AVE  
CARY NC 27513-8450

0793096609  
KENT RIDGE TOWNHOMES ASSOCIATION  
INC  
314 W MILLBROOK RD STE 13  
RALEIGH NC 27609-4380

0793096769  
MARLOWE & MOYE LLC  
PO BOX 20667  
✓ RALEIGH NC 27619-0667

0793097604  
MARLOWE & MOYE LLC  
✓ PO BOX 20667  
RALEIGH NC 27619-0667

0793097606  
✓ MARLOWE & MOYE LLC  
PO BOX 20667  
RALEIGH NC 27619-0667

0793097608  
✓ MARLOWE & MOYE LLC  
PO BOX 20667  
RALEIGH NC 27619-0667

0793097700  
✓ MARLOWE & MOYE LLC  
PO BOX 20667  
RALEIGH NC 27619-0667

0793097702  
✓ MARLOWE & MOYE LLC  
PO BOX 20667  
RALEIGH NC 27619-0667

0793097707  
✓ MARLOWE & MOYE LLC  
PO BOX 20667  
RALEIGH NC 27619-0667

0793097936  
✓ GOLDBERG, JEROME GOLDBERG, NANCY  
8701 ONEAL RD  
RALEIGH NC 27613-1120

0793190817  
✓ COUNTRY DAY MONTESSORI LLC  
1030 KENNICOTT AVE  
CARY NC 27513-8450

0793195862  
✓ HOUSING AUTH CITY OF RALEIGH  
HOUSING AUTH CITY OF ...  
900 HAYNES ST  
RALEIGH NC 27604-1462